



United States District Court
Central District of California

United States of America
Plaintiff

Case Number
CR-04-1189(A)-CAS

v.

Gabriel Gonzalez
Defendant, Pro Se

Objection to Court's Order

Gabriel Gonzalez asks this honorable court to withdraw its order of 8/07/20 so that it can consider Gonzalez' Reply Motion of 8/11/20 before rendering a final order.

On or about 7/17/20 this court ordered the government to secure a copy of Gonzalez' medical records from the prison and to serve Gonzalez and the court with a copy.

On 8/07/20 Gonzalez was served with a partial copy of his records, via U.S. mail, through the prison's regular internal mail system and not through the prison's legal mail process. Gonzalez requested a copy of the complete 80 page version but has not yet received his copy from the government.

In reviewing the records he received, Gonzalez discovered several significant inaccuracies which he addressed in his 'Reply to Government's Medical Record Inquiry' motion of 8/11/20. This reply has relevant information which directly contradicts the prison's assertion that Gonzalez is asymptomatic and otherwise unaffected by the Coronavirus.

On 8/18/20 Gonzalez was served with this court's denial motion of 8/07/20. Gonzalez objects that this order was premature in that he had no opportunity to provide this court with important relevant and contradictory information to the medical records the court depended upon to derive at its final decision. The information in Gonzalez' motion bears directly to the heart of this matter in concluding whether or not Gonzalez suffers not only the Coronavirus illness, but

also if he is indeed receiving medical treatment for his illness.

Gonzalez also includes, with today's objection, copies of his multiple requests for medical care which remain unanswered. These records were previously submitted but are included now for the court's convenience in deciding whether Gonzalez was truly asymptomatic or has he been seeking medical care and treatment diligently.

Gonzalez prays this court grant him the opportunity to be fully heard and will assess the merits of his 8/11/20 motion before issuing its final judgment.

Verification

I have read the foregoing Objection to Court's Order and hereby verify that the matters alleged herein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true and correct. Executed at Forrest City, Arkansas on this 19th day of August, 2020.



Gabriel Gonzalez
Defendant, Pro Se

Certificate of Service

I certify under the penalty of perjury that the foregoing Objection to Court's Order was placed in the prison's internal mail system, postage pre-paid, for service upon this court via U.S. mail on this 20th day of August, 2020 to 255 E. Temple Street room 180 Los Angeles, California 90012. Gonzalez asks this court's clerk to serve all other interested parties by electronic notification and to provide him with a stamped and filed copy of this motion.



Gabriel Gonzalez
Defendant, Pro Se

TRULINCS 30515112 - GONZALEZ, GABRIEL - Unit: FOR-W-D

FROM: 30515112

TO: Low Health Services

SUBJECT: ***Request to Staff*** GONZALEZ, GABRIEL, Reg# 30515112, FOR-W-D

DATE: 05/27/2020 06:42:23 PM

To: Medical Staff

Inmate Work Assignment: Education

I have tested positive for the Coronavirus and have been moved into an asymptomatic-positive housing unit. For the past two weeks, I have waited to begin treatment for curtailment of this disease. So far, the only treatment I, or any of us, have received is to have our temperature(s) checked. This has not been done every day but is done most days. I am concerned about the 'viral load' in this commune setting and fear that my condition will become unmanageable as I, and others, are made to absorb the respirations and accumulations of virus contaminations while being locked inside the housing units. Please advise me as to what medical treatments I will be receiving and when those treatment will begin.

Respectfully,

Gabriel Gonzalez

#30515-112

P.O. Box 9000-Low

Forrest City, Arkansas 72336

TRULINCS 30515112 - GONZALEZ, GABRIEL - Unit: FOR-W-D

FROM: 30515112

TO: Low Health Services

SUBJECT: ***Request to Staff*** GONZALEZ, GABRIEL, Reg# 30515112, FOR-W-D

DATE: 06/07/2020 08:37:04 PM

To: Health Services Administrator
Inmate Work Assignment: Education

Sir,

Now that I, and many others, have tested positive for the Coronavirus would you please provide me with documentation as to what the BOP's (and CDC's) treatment plan will be for testing, treatment, and care of this disease in the infected. Thank you.

Gabriel Gonzalez

#30515-112

P.O. Box 9000-Low

Forrest City, Arkansas 72336

TRULINCS 30515112 - GONZALEZ, GABRIEL - Unit: FOR-W-D

FROM: 30515112

TO: Low Health Services

SUBJECT: ***Request to Staff*** GONZALEZ, GABRIEL, Reg# 30515112, FOR-W-D

DATE: 06/14/2020 09:30:18 PM

To: Dr. Hari Kapur

Inmate Work Assignment: Education

Doctor,

Please advise me as to when I will receive any examination, tests, or treatments for my coronavirus.

TRULINCS 30515112 - GONZALEZ, GABRIEL - Unit: FOR-W-D

FROM: 30515112
TO: Low Health Services
SUBJECT: ***Request to Staff*** GONZALEZ, GABRIEL, Reg# 30515112, FOR-W-D
DATE: 06/15/2020 07:59:40 PM

To: Dr. Hari Kapur
Inmate Work Assignment: Education

Dr. Kapur,

In May I was given a nasopharyngeal swab exam for the Coronavirus. I was told that my test was positive for the infection on 5/20/20 and on that day was transferred to the Wynne-D housing unit for confinement with approximately 160 other prisoners who had also tested positive for the virus. Prior to being tested, I was receiving temperature checks twice daily but upon reassignment to Wynne-D I only received a temperature check once per day. This was usually done by a two-person team and lasted all of 5 seconds. One person (officer or medical staff) would perform an infrared reading of my forehead while the second officer would check my inmate identification card and record the reading onto a clipboard. I have never received any sort of examination, testing (as for lung capacity, blood pressure, EKG, or any other test) designed to evaluate the severity of my Coronavirus infection. Furthermore, I have never been questioned as to how I feel or asked whether I have been experiencing any pains, dysfunction, or other symptoms related to my having contracted this virus. I would like to know when medical services at this prison will begin testing and examination of those of us who have become afflicted with this virus. If there is anything inaccurate in the above statement please respond back to me with the necessary correction, and to advise me of the prison's future plans to evaluate my condition. If my statements are accurate and the prison does not plan to perform any medical evaluation of my condition then it is not necessary to respond and I will accept your nonresponsive answer as a denial that there will be any action taken. Regardless, thank you for your prompt attention to this important matter. I look forward to hearing from you soon.

Respectfully,

Gabriel Gonzalez
#30515-112
P.O. Box 9000-Low
Forrest City, Arkansas 72336

TRULINCS 30515112 - GONZALEZ, GABRIEL - Unit: FOR-W-D

FROM: 30515112

TO: Low Health Services

SUBJECT: ***Request to Staff*** GONZALEZ, GABRIEL, Reg# 30515112, FOR-W-D

DATE: 06/24/2020 09:27:47 PM

To: Health Services Administrator
Inmate Work Assignment: Education

Dear Health Services Administrator,

I would like to know if I can expect to receive any testing, examination, or other medical treatment (other than temperature checks) for my contraction of the Coronavirus. As you know, on 5/20/20 I was relocated into the Wynne D building for isolation with approximately 160 other prisoners after having been found to have tested positive for COVID-19. To date, I have only received sporadic, 3 second temperature checks, and have not been given any lung capacity examinations, EKG/EEG, MRI's, or any other tests to monitor my condition or treatments to abate the symptoms related to this disease. The temperature checks have ceased completely approximately 2 weeks ago and I still have not been examined by any of the medical doctors for any adverse internal conditions related to this medical condition. On 6/23/20 I was given a second nasopharyngeal exam in anticipation of my medical trip to the Memphis hospital for cancer surgery but I have not been given the results of that second exam. Please let me know if there are medical plans for a physical examination, tests, or other procedures in response to treatment for my Coronavirus. Thank you.

Gabriel Gonzalez
#30515-112
P.O. Box 9000-Low
Forrest City, Arkansas 72336

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Gabriel Gonzalez
PO BOX 9000 Low
Federalcorrectionalcomplex
Forrest CITY, AR 72336
United States



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United States District Court
Central District of California
Office of the Clerk
255 E. Temple Street Room 180
Los Angeles, California 90012

90012-330432

